(5) any allocations of Special Drawing Rights approved by the International Monetary Fund to help with the purchase of COVID-19 vaccines and stem the worst economic impact of the pandemic should include ongoing efforts to discourage countries that are allies of the United States from exchanging Special Drawing Rights for hard currencies with rogue countries and followup by the International Monetary Fund to audit how such allocations were spent.

SA 2015. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division C, add the following:

SEC. 3505. POLICY OF UNITED STATES ON MAINTAINING SUPERIORITY OF UNITED STATES NUCLEAR FORCES.

- (a) SENSE OF CONGRESS.—It is the sense of Congress that—
- (1) the modernization of the land-based intercontinental ballistic missile, ballistic missile submarines, and nuclear-capable heavy bomber aircraft is essential to maintaining a competitive edge over the People's Republic of China and providing security for allies of the United States in the region;
- (2) continued support for the modernization of the nuclear triad will be a necessary consideration during ratification of any future arms control treaty with the People's Republic of China:
- (3) the nuclear forces of the People's Republic of China will significantly evolve over the decade after the date of the enactment of this Act as the People's Republic of China modernizes, diversifies, and increases the number of its land-, sea-, and air-based nuclear delivery platforms;
- (4) the People's Republic of China is pursuing a nuclear triad with the development of a nuclear-capable air-launched ballistic missile and improving its ground and seabased nuclear capabilities; and
- (5) new developments in 2019 further suggest that the People's Republic of China intends to increase the peacetime readiness of its nuclear forces by moving to a launch-onwarning posture with an expanded silo-based force
- (b) STATEMENT OF POLICY.—It is the policy of the United States—
- (1) to advance the strategic deterrence capabilities of the United States both quantitatively and qualitatively;
- (2) to ensure the safety, reliability, and performance of the nuclear forces of the United States;
- (3) to fully modernize the United States nuclear triad as needed to maintain the premier nuclear force on the planet; and
- (4) that any new nuclear arms limitation treaties must include the People's Republic of China before ratification.

SA 2016. Mr. SANDERS (for himself and Ms. Warren) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, to establish a new Directorate for Technology and

Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 7 and 8, insert the following:

- (5) CONDITIONS OF RECEIPT.-
- (A) REQUIRED AGREEMENT.—A covered entity to which the Secretary of Commerce awards Federal financial assistance under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) or paragraph (3) of this subsection with amounts appropriated under this subsection shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—
 - (i) the covered entity will not-
- (I) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this Act:
- (Π) outsource or offshore jobs to a location outside of the United States; or
- (III) abrogate existing collective bargaining agreements; and
- (ii) the covered entity will remain neutral in any union organizing effort.
- (B) FINANCIAL PROTECTION OF GOVERNMENT.—
- (i) IN GENERAL.—The Secretary of Commerce may not award Federal financial assistance to a covered entity under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) or paragraph (3) of this subsection with amounts appropriated under this subsection, unless—

(I)(aa) the covered entity has issued securities that are traded on a national securities exchange; and

(bb) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

(II) in the case of any covered entity other than a covered entity described in subclause (I), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

- (aa) a warrant or equity interest in the covered entity; or
- (bb) a senior debt instrument issued by the covered entity.
- (ii) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under clause (i) shall be set by the Secretary of Commerce and shall meet the following requirements:
- (I) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary of Commerce, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.
- (II) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary of Commerce may sell, exercise, or surrender a warrant or any senior debt instrument received under this subparagraph. The Secretary of Commerce shall not exercise voting power with respect to any shares of common stock acquired under this subparagraph.

(III) SUFFICIENCY.—If the Secretary of Commerce determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary of Commerce may accept a senior debt instrument in an amount and on such terms as the Secretary of Commerce deems appropriate.

SA 2017. Ms. ERNST (for herself and Ms. HASSAN) submitted an amendment intended to be proposed by her to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table: as follows:

At the appropriate place, insert the following:

SEC. ___. DISCLOSURE REQUIREMENTS FOR RE-CIPIENTS OF NSF FUNDS.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended by inserting after section 11 the following:

"SEC. 11A. DISCLOSURE REQUIREMENTS FOR RE-CIPIENTS OF NSF FUNDS.

- "A grantee or subgrantee carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Foundation shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the program, project, or activity, other than a communication containing not more than 280 characters—
- "(1) the percentage of the total costs of the program, project, or activity which will be financed with funds provided by the Foundation:
- "(2) the dollar amount of the funds provided by the Foundation made available for the program, project, or activity; and
- "(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by nongovernmental sources."

SA 2018. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. VEHICLE TECHNOLOGY COMPETITIVENESS.

- (a) FINDINGS.—Congress finds that-
- (1) the Government of the People's Republic of China is investing in developing innovative technologies with commercial and military applications, including autonomous vehicles;
- (2) the municipal government of Shanghai alone has planned investments of \$15,000,000,000 over 10 years for research and development;

- (3) the Government of the People's Republic of China has a strategy of promoting national champions, including in the autonomous vehicle industry, in order to overtake and replace foreign market leaders;
- (4) technological leadership in the autonomous vehicle industry represents a global market opportunity worth an estimated \$8,000,000,000,000:
- (5) unless the United States enacts policies to protect the technological leadership of the United States in the autonomous vehicle industry against the People's Republic of China and other competitors, the United States risks losing that technological leadership; and
- (6) maintaining the leading role of the United States in developing and producing autonomous vehicles is essential—
- (A) to growing manufacturing jobs that support a strong middle class; and
- (B) to achieving the safety and mobility benefits offered by autonomous vehicles.
- (b) HIGHLY AUTOMATED SYSTEMS SAFETY CENTER OF EXCELLENCE.—
 - (1) Definitions.—In this subsection:
- (A) CENTER.—The term "Center" means the Highly Automated Systems Safety Center of Excellence established under paragraph (2).
- (B) DEPARTMENT.—The term "Department" means the Department of Transportation.
- (C) SECRETARY.—The term "Secretary" means the Secretary of Transportation.
- (2) ESTABLISHMENT.—The Secretary shall establish a Highly Automated Systems Safety Center of Excellence within the Department for the purpose of maintaining a workforce at the Department that is capable of reviewing, assessing, and validating the safety of automated technologies.
 - (3) Duties.-
 - (A) IN GENERAL.—The Center shall—
- (i) serve as a central location within the Department for expertise in—
- (I) automation and human factors;
- (II) computer science;
- (III) data analytics;
- (IV) machine learning;
- (V) sensors and other technologies relating to automated systems; and
 - (VI) security; and
- (ii) collaborate with, and provide support to, all operating administrations of the Department with respect to highly automated systems.
- (B) REVIEW, ASSESSMENT, AND VALIDATION.—The workforce of the Center, in coordination with relevant operating administrations of the Department, shall advise on the review, assessment, and validation of highly automated systems to ensure the safety and security of those systems.
- (C) AUTHORITY.—The activities of the Center under this subsection shall not supersede any certification authority granted to an operating administration of the Department under other law (including regulations).
- (4) WORKFORCE.—The Center shall have a workforce composed of—
- (A) employees of the Department, including—
- (i) direct hires; or
- (ii) detailees from operating administrations of the Department; or
- (B) detailees of other Federal agencies.
- (5) SAVINGS CLAUSE.—Nothing in this subsection supersedes any law (including regulations)—
- (A) granting certification authority to an operating administration of the Department;
- (B) establishing certification responsibilities for manufacturers (as defined in section 30102(a) of title 49, United States Code); or
- (C) granting authority to an operating administration of the Department to determine safety defects in regulated products.

- (6) CONFORMING AMENDMENT.—Section 105 of division H of the Further Consolidated Appropriations Act, 2020 (49 U.S.C. 102 note; Public Law 116-94) is repealed.
- (7) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report describing—
 - (A) the staffing needs of the Center; and
 - (B) the staffing plan for the Center.
- (c) MOTOR VEHICLE TESTING OR EVALUATION.—
- (1) DEFINITIONS.—Section 30102(a) of title 49, United States Code, is amended—
- (A) in the matter preceding paragraph (1), by striking "chapter—" and inserting "chapter:":
- (B) in each of paragraphs (1) through (13)—
 (i) by inserting "The term" after the paragraph designation; and
- (ii) by inserting a paragraph heading, the text of which is comprised of the term defined in the paragraph;
- (C) by redesignating paragraphs (1) through (13) as paragraphs (2), (3), (4), (5), (7), (8), (9), (10), (11), (12), (13), (14), and (15), respectively:
- (D) by inserting before paragraph (2) (as so redesignated) the following:
- "(1) AUTOMATED DRIVING SYSTEM.—The term 'automated driving system' means a Level 3, Level 4, or Level 5 automated driving system (as defined in the SAE International Recommended Practice numbered J3016 and dated June 15, 2018 (or a subsequent standard adopted by the Secretary))."; and
- (E) by inserting after paragraph (5) (as so redesignated) the following:
- "(6) HIGHLY AUTOMATED VEHICLE.—The term 'highly automated vehicle' means a motor vehicle that is equipped with an automated driving system.".
- (2) APPLICATION OF CERTAIN PROHIBITIONS.—Section 30112(b) of title 49, United States Code, is amended by striking paragraph (10) and inserting the following:
- "(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing, evaluation, or demonstration—
- "(A) by a manufacturer that—
- "(i) agrees not to sell or lease, or offer for sale or lease, the motor vehicle at the conclusion of the testing, evaluation, or demonstration;
- "(ii) has manufactured and distributed into the United States motor vehicles that are certified, or motor vehicle equipment utilized in a motor vehicle that is certified, to comply with all applicable Federal motor vehicle safety standards;
- "(iii) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations (or successor regulations); and
- "(iv) if applicable, has identified an agent for service of process in accordance with part 551 of that title (or successor regulations); or
- "(B) of a highly automated vehicle, automated driving system, or component of an automated driving system if—
- "(i) the testing, evaluation, or demonstration of the vehicle is conducted only by employees, agents, or fleet management contractors of the manufacturer of the highly automated vehicle, the automated driving system, or any component of such vehicle or system:
- "(ii) the manufacturer agrees not to sell or lease, or offer for sale or lease, the highly automated vehicle, automated driving system, or component of an automated driving system at the conclusion of the testing, evaluation, or demonstration;
- "(iii) the manufacturer has submitted appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations (or successor regula-

- tions), if applicable, or similar manufacturer identification information, including—
- "(I) the name of the manufacturer (including a manufacturer that is an individual, partnership, corporation, or institution of higher education) and a point of contact;
- "(II) the physical address of the manufacturer and the State of incorporation of the manufacturer, if applicable;
- "(III) a description of each type of motor vehicle used during development of the highly automated vehicle, automated driving system, or component of the automated driving system manufactured by the manufacturer: and
- "(IV) proof of insurance for any State in which the manufacturer intends to test or evaluate highly automated vehicles; and
- "(iv) if applicable, the manufacturer has identified an agent for service of process in accordance with part 551 of title 49, Code of Federal Regulations (or successor regulations)."
 - (3) Conforming amendments.—
- (A) Section 11028(a)(1)(A) of the 21st Century Department of Justice Appropriations Authorization Act (15 U.S.C. 1226(a)(1)(A)) is amended by striking "section 30102(6) of title 49 of the United States Code" and inserting "section 30102(a) of title 49, United States Code".
- (B) Section 3(a)(5)(C) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)(C)) is amended by striking "(as defined by sections 102 (3) and (4) of the National Traffic and Motor Vehicle Safety Act of 1966)" and inserting "(as those terms are defined in section 30102(a) of title 49, United States Code)".
- (C) Section 15(b) of the Consumer Product Safety Act (15 U.S.C. 2064(b)) is amended, in the matter preceding paragraph (1), by striking "section 30102(a)(7)" and inserting "section 30102(a)".
- (D) Section 403(h)(5)(A) of title 23, United States Code, is amended by striking "section 30102(a)(6)" and inserting "section 30102(a)".
- (E) Section 2 of Public Law 107-319 (49 U.S.C. 30102 note; 116 Stat. 2777) is amended by striking "section 30102(6)" and inserting "section 30102(a)".
- (F) Section 101(8) of the Servicemembers Civil Relief Act (50 U.S.C. 3911(8)) is amended by striking "section 30102(a)(6)" and inserting "section 30102(a)".
- (d) HIGHLY AUTOMATED VEHICLES EXEMPTIONS.—Section 30113 of title 49, United States Code, is amended—
 - (1) in subsection (a)—
- (A) by striking the subsection designation and heading and all that follows through "means a motor" and inserting the following:
- "(a) DEFINITIONS.—In this section:
- "(1) LOW-EMISSION MOTOR VEHICLE.—The term 'low-emission motor vehicle' means a motor"; and
- (B) by adding at the end the following:
- "(2) New motor vehicle safety feature.— The term 'new motor vehicle safety feature' includes any feature that enables a highly automated vehicle or an automated driving system, regardless of whether an exemption has already been granted for a similar feature with respect to any other motor vehicle model.
- "(3) Secretary.—The term 'Secretary' means the Secretary of Transportation.";
 - (2) in subsection (b)—
- (A) by striking the subsection designation and all that follows through "The Secretary of Transportation" in paragraph (1) and inserting the following:
- "(b) AUTHORITY TO EXEMPT AND PROCE-DURES.—
 - "(1) IN GENERAL.—The Secretary";
- $\left(B\right)$ by striking paragraph (2) and inserting the following:
 - "(2) Procedures.—

- "(A) COMMENCEMENT.—
- "(i) IN GENERAL.—The Secretary shall commence a proceeding under this subsection when a manufacturer submits to the Secretary an application for an exemption or the renewal of an exemption in accordance with clause (ii).
- "(ii) APPLICATIONS.—An application for an exemption or the renewal of an exemption under this subparagraph shall be filed at such time, in such manner, and containing such information as the Secretary may require.
- "(B) PUBLICATION.—On commencing a proceeding under subparagraph (A), the Secretary shall—
- "(i) publish in the Federal Register a notice of the relevant application; and
- "(ii) provide an opportunity for public comment.
- "(C) DETERMINATION.—The Secretary shall grant or deny an exemption or the renewal of an exemption for a highly automated vehicle by the date that is 180 days after the date on which the application for the exemption or renewal is received by the Secretary.
- "(D) REVIEW OF PREVIOUSLY GRANTED EXEMPTIONS.—For any exemption granted by the Secretary under this section, the Secretary, not less frequently than annually, and before granting a renewal or otherwise increasing the number of highly automated vehicles of a manufacturer that may be sold or otherwise introduced into interstate commerce under the exemption, shall evaluate the impact of the exemption on motor vehicle safety to ensure compliance with any conditions established by the Secretary.";
- (C) in paragraph (3)(B)—
- (i) in clause (iii), by striking "or" at the end; and
- (ii) by striking clause (iv) and inserting the following:
- "(iv) compliance with the standard would prevent the manufacturer from selling, introducing, or delivering into interstate commerce a motor vehicle with an overall safety level at least equal to the safety level of nonexempt vehicles: or
 - "(v) the exemption would provide-
- "(I) transportation access for individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), including nonvisual access for individuals who are blind or visually impaired; and
- "(II)(aa) a safety level at least equal to the safety level of the standard from which the exemption is sought; or
- "(bb) an overall safety level at least equal to the overall safety level of nonexempt vehicles.": and
- (3) by striking subsection (d) and inserting the following:
 - "(d) Eligibility.—
- "(1) Substantial economic hardship.—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(i) (including an exemption relating to a bumper standard referred to in subsection (b)(1)) only if the Secretary determines that the total motor vehicle production of the manufacturer in the most recent year of production is not more than 10,000.
 - "(2) SAFETY EQUIVALENCE.—
- "(A) IN GENERAL.—Except as provided in subparagraph (B), a manufacturer is eligible for an exemption under clause (ii), (iii), (iv), or (v) of subsection (b)(3)(B) only if the Secretary determines that the exemption is for not more than 2,500 vehicles to be sold or otherwise introduced into interstate commerce in the United States during any 1-year period.
 - "(B) HIGHLY AUTOMATED VEHICLES.—
- "(i) IN GENERAL.—With respect to highly automated vehicles, a manufacturer is eligi-

- ble for an exemption under clause (ii), (iii), (iv), or (v) of subsection (b)(3)(B) only if the Secretary determines that—
- "(I) during the 1-year period beginning on the date of enactment of the Endless Frontier Act the number of new exemptions granted for that manufacturer is for not more than a total of 15,000 highly automated vehicles to be sold or otherwise introduced into interstate commerce in the United States:
- "(II) during the 1-year period immediately following the period described in subclause (I), the number of new exemptions granted for that manufacturer is for not more than a total of 40,000 highly automated vehicles to be sold or otherwise introduced into interstate commerce in the United States; and
- "(III) subject to clause (ii), during any 1-year period following the period described in subclause (II), the number of new exemptions granted for that manufacturer is for not more than a total of 80,000 highly automated vehicles to be sold or otherwise introduced into interstate commerce in the United States.
- "(ii) EXPANSION.—A manufacturer of a highly automated vehicle may submit to the Secretary a petition to expand the limit on new exemptions under clause (i)(III) to allow exemptions for more than 80,000 highly automated vehicles during any 1-year period if a similar exemption has been in effect for that manufacturer for a period of not less than 4 years.";
 - (4) in subsection (e)-
- (A) by striking the second sentence and inserting the following:
- "(2) SAFETY EQUIVALENCE.—An exemption or renewal under clause (ii), (iii), (iv), or (v) of subsection (b)(3)(B) may be granted—
- "(A) for not more than 2 years; or
- "(B) if the motor vehicle is a highly automated vehicle, for not more than 5 years."; and
- (B) by striking the subsection designation and all that follows through "An exemption" in the first sentence and inserting the following:
- "(e) MAXIMUM PERIOD.—
- "(1) Substantial economic hardship.—An exemption"; and
- (5) by adding at the end the following:
- "(i) PROCESS AND ANALYSIS.—
- "(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the Secretary shall publish a notice in the Federal Register that describes the process and analysis used for the consideration of an application for an exemption or the renewal of an exemption under this section for a highly automated vehicle.
- "(2) PERIODIC REVIEW AND UPDATING.—The Secretary shall—
- "(A) review the notice under paragraph (1) by the date that is 5 years after the initial date of publication, and not less frequently than once every 5 years thereafter; and
- "(B) update the notice if the Secretary determines that an update is necessary.".
- (e) DUAL USE VEHICLE SAFETY.-
- (1) IN GENERAL.—Section 30122(b) of title 49, United States Code, is amended—
- (A) by striking "A manufacturer" and inserting the following:
- "(1) IN GENERAL.—Except as provided in paragraph (2), a manufacturer"; and
 - (B) by adding at the end the following:
- "(2) EXCEPTION.—
- "(A) IN GENERAL.—Paragraph (1) shall not apply in any case in which a manufacturer intentionally causes a steering wheel, brake pedal, accelerator pedal, gear shift, or any other device or element of design relating to the performance of the dynamic driving task by a human driver to be temporarily disabled during the time that a Level 4 or Level 5

- automated driving system is engaged and performing the entire dynamic driving task.
- "(B) CLARIFICATION.—Paragraph (1) shall apply at any time during which an automated driving system is not engaged.".
- (2) RULEMAKING.—If the Secretary prescribes a regulation in accordance with section 30122(c) of title 49, United States Code, to exempt a manufacturer (as defined in section 30102(a) of that title) from the prohibition under paragraph (1) of section 30122(b) of that title with respect to highly automated vehicles (as defined in section 30102(a) of that title), on the effective date of that regulation—
- (A) the amendments to section 30122(b) of that title made by paragraph (1) shall terminate; and
- (B) section 30122(b) of that title shall be in effect as if those amendments had not been enacted.
- (3) LICENSING.—A State may not issue a motor vehicle operator's license for the operation or use of a highly automated vehicle (as defined in section 30102(a) of title 49, United States Code) in a manner that discriminates on the basis of disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

SA 2019. Mr. THUNE (for himself and Mr. Tester) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. Schumer to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. REPORT ON COUNTRY-OF-ORIGIN LABELING FOR BEEF, PORK, AND OTHER MEAT PRODUCTS.

Not later than one year after the date of the enactment of this Act, the United States Trade Representative and the Secretary of Agriculture shall jointly submit to the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives a report on the ruling issued by the World Trade Organization in 2015 on country-of-origin labeling for beef, pork, and other meat products that includes—

- (1) an assessment of the impact of the ruling on— $\,$
- (A) consumer awareness regarding the origin of meat consumed in the United States;
- (B) agricultural producers in the United States, taking into consideration other marketplace dynamics;
- (C) the security and resilience of the food supply in the United States; and
- (D) the continuity of trade and the fulfillment of trade obligations under the North American Free Trade Agreement and the Agreement between the United States of America, the United Mexican States, and Canada; and
- (2) if the assessment under paragraph (1) indicates that the ruling had a negative impact on consumers in the United States, agricultural producers in the United States, and the overall security and resilience of the food supply in the United States, recommendations for such legislative or administrative action as the Secretary of Agriculture considers appropriate—